

sets for easy access to frequently used record...”. However, Applicant respectfully submits that May teaches away from the modification alleged in the office action and that the alleged motivation does not appear to be relevant to Applicant’s claimed invention.

For example, May uses a matrix having twelve selection boxes in a square and a user can select a category within one of the boxes to select a second subset of a database and so on. May utilizes a multi-level database path designation system having four levels including parser cells, cord cells, search cells and code cells. As such, the use of the parser cells which has text indicating, for example, “movies” do not need or use row and column headings to access records in the database since the May reference teaches sequentially going down different sub levels using icons with specific text related to their tier in the database. As such, there does not appear to be any motivation to completely alter the fundamental operation of May as May teaches an opposite approach to that claimed by Applicant. The ordering of the cells in May is dependent upon the classification of the content to be chosen. As such, there is no need for row headings and column headings as the text within each of the icons is already indicative of the subject matter being selected. May specifically teaches away from using row headings and column headings with a matrix of cells and icons displayed within the cells because May utilizes sub levels of icons for different categories, wherein each specific level are all drawn to a specific category. The system of May would not allow row headings and/or column headings because this would interfere with the cell ordering ability of May to provide improved flexibility and profitability of May’s system. In fact, it appears that May could not use the row headings and column headings of Applicant’s claimed invention because May operates in a completely different manner through using sub levels of categories indicated by text within the icons themselves. Having row and column headings would be duplicative. Accordingly, the claims are in condition for allowance.

If the rejection is maintained, Applicant respectfully requests factual support for the apparent official notice being taken.

In addition, Applicant respectfully submits that the motivation given in the office action does not appear to be relevant as the Applicant's claim is not directed to a user configuring their own data sets for easy access to frequently used records as alleged to be the motivation. The claim does not require a user to configure their own data sets. Accordingly, the office action appears to lack sufficient motivation. As such, the claims are also in condition for allowance for this reason.

The office action also cites to Fig. 12. However, Fig. 12 again does not represent a graphic user interface having a matrix with icons as claimed and row and column headings as claimed but it is merely a diagram of object classes used in one implementation of the invention.

As to claim 2, the office action alleges that May teaches the claimed subject matter in column 8, lines 50-60 and Fig. 12. However, the office action previously admitted with respect to claim 1, for example, that May does not use a matrix that includes row headings and column headings. As such, May cannot be used to render this claim unpatentable.

In addition, the cited portion again does not describe any row headings that identify sources from which elements are obtained or column headings that are displayed in the graphic user interface as claimed that identify subject matter to which the elements relate. To the contrary, the cited portion describes the hierarchical icon structure used in the May reference which appears to operate in a completely different manner from that claimed as no row or column headings are necessary. Accordingly, this claim is also believed to be in condition for allowance.

Applicant respectfully submits that the dependent claims add additional novel and non-obvious subject matter.

As to claim 10, Applicant respectfully reasserts the relevant remarks above with respect to claim 1 and further notes that May fails to disclose, among other things, receiving an icon selection signal and in response to the selection signal displaying a corresponding file and the file location wherein the matrix includes row headings and column headings. As noted above, such operations are not described in the reference.

Claims 12 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over May in view of Burnard et al. Applicant respectfully reasserts the relevant remarks made in the previous response and as such these claims are also believed to be in condition for allowance.

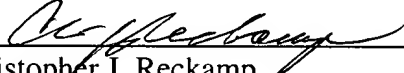
Claims 14 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Burnard. However, the office action appears to take official notice of certain facts and as such Applicant respectfully requests the documentation to support the facts that are allegedly in the prior art being combined with Burnard to render this claim unpatentable. For example, the office action admits that Burnard does not disclose the user of compiling the element and library without reference to non-compiled data and does not indicate where the motivation comes from or where such operation is lacking in Burnard comes from. As such, the claims are in condition for allowance.

Applicant also respectfully reasserts the relevant remarks made in the previous response and the claims are also allowable for these reasons as well.

As such, Applicant respectfully submits that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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